

276-07/PJG/GMV
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MSC Pakistan (Private) Limited

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CAI INTERNATIONAL, INC.,

Plaintiff

v.

MEGAFLEET (PRIVATE) LIMITED,
INSHIPPING (PRIVATE) LIMITED, INSHIP
(PRIVATE) LIMITED, INSERVEY
PAKISTAN (PRIVATE) LIMITED,
MEGAIMPEX PAKISTAN (PRIVATE)
LIMITED, MEGA IMPEX (PRIVATE)
LIMITED, MEGATECH (PRIVATE)
LIMITED, MEGATRANS PAKISTAN
(PRIVATE) LIMITED, INTRA 21 (PRIVATE)
LIMITED, INTRA TWENTY ONE (PRIVATE)
LIMITED, MSC PAKISTAN (PRIVATE)
LIMITED, FORBES
FORBES CAMPBELL & CO (PRIVATE)
LIMITED, M-LOG (PRIVATE) LIMITED,
FORBES SHIPPING (PRIVATE) LIMITED,
FORBES LATHAM (PRIVATE) LIMITED,
FORBES TELECOMMUNICATIONS
(PRIVATE) LIMITED, FORBES TELECOM
(PRIVATE) LIMITED, MEGATRAVEL
PAKISTAN (PRIVATE) LIMITED,
SEACON (PRIVATE) LIMITED, SEALOG
(PRIVATE) LIMITED, SEAEXPRESS
(PRIVATE) LIMITED, FORBES LOGISTICS
(PRIVATE) LIMITED, FORBES LOGICOM
(PRIVATE) LIMITED, MEGARAIL (PRIVATE)
LIMITED, MEGATRANSPORT (PRIVATE)
LIMITED, FORBES SHIPPING COMPANY
(PRIVATE) LIMITED, M. HABIBULLAH
KHAN, MEGAFEEDER (PRIVATE) LIMITED,

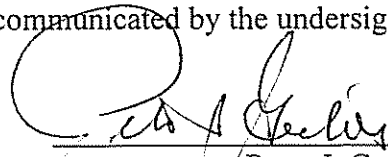
Defendants.

07-CV-3728 (LLS)

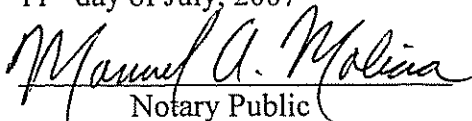
GUTOWSKI AFFIDAVIT

Peter J. Gutowski, being duly sworn, deposes and states as follows:

1. I am an attorney duly admitted to practice before this Court and am a partner with the firm of Freehill Hogan & Mahar LLP, attorneys for the Defendant MSC Pakistan.
2. This Affidavit is submitted in support of the application to vacate the attachment, specifically, for the purpose of introducing two documents referenced in the Memorandum of Law.
3. In this regard, attached to this Affidavit as Exhibit A is an email thread which commences on May 4, 2006 at 9:41 a.m., and includes, at page 3, an email from Susan Fox of CAI to "Tony" transmitted on May 4, 2006 at 8:59 a.m.
4. Exhibit B to this Affidavit is email received from counsel for CAI (Charles Donovan) which includes "responses" to the original email sent by the undersigned - the responses having been inserted back in the same Freehill email.
5. For the Court's guidance, and for ease of reference, Mr. Donovan's responses to the undersigned email were typed directly into the Freehill email and appeared in blue ink, to distinguish the response from the original statement or question. To the extent the copy which is being supplied to the Court cannot be transmitted with different color ink, the undersigned has marked the exhibit with an "R" next to each paragraph which constitutes an inserted response from attorney Donovan to the original message communicated by the undersigned at 9:41 a.m.


Peter J. Gutowski

Sworn to before me on this
11th day of July, 2007


Notary Public

MANUEL A. MOLINA
Notary Public, State of New York
No. 02M06064999
Qualified In Kings County
Commission Expires Oct. 9, 2009